

CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS 400 EAST MILITARY, FREMONT NEBRASKA  
April 10, 2018  
7:00 p.m.

After the Meet and Greet, Study Session and Pledge of Allegiance, the Mayor called the meeting of the City Council to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas. Roll call showed Council Members Anderson, McClain, Legband, Landholm, Jacobus, Schaller, and Kuhns present. Council Member Bechtel absent. 7 Council Members present.

Moved by Council Member Schaller seconded by Council Member Kuhns to approve items 4 through 18 of the consent agenda. Ayes: Anderson, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Bechtel absent. Motion carried.

4. Move to approve March 28, 2018 through April 10, 2018 claims and authorize checks to be drawn on the proper accounts
5. Receive Report of the Treasury
6. Dispense with and approve March 27, 2018 minutes
7. Resolution 2018-082 allowing the Mayor to sign the Lutheran Family Services MOU for an embedded Licensed Mental Health Professional
8. Approve acknowledgement of the Tort Claim filed by Ashley Feuerman
9. Consideration of excavation/asphalt/concrete license applications
10. Resolution 2018-083 accepting and awarding the bid to Schmader Electric Const. Co. Inc. for Contract for Installation of Transmission Conductor in the amount of \$63,360.00 and authorize staff to issue a contract and purchase order for the purchase
11. Resolution 2018-084 for approval of three-year contract award for City of Fremont/Department of Utilities' property and casualty insurance coverage for a fixed fee
12. Resolution 2018-085 to accept State of Nebraska contract #14853 OC Bid for one new 1/2 ton 4-wheel drive pickup truck for Fremont Street Department
13. Resolution 2018-086 to approve application for new liquor license manager of Jack R. Barta, Pathfinder Entertainment, LLC., dba J's Steakhouse, 406 N. Main Street #1, Fremont, Nebraska
14. Resolution 2018-087 to vacate platted street County Road T from existing County Road T west to Highway 77
15. Consider request for Use of Clemmons Park (North Side of sled hill) April 7<sup>th</sup> – May 12<sup>th</sup> from 9:00am-12:00pm & April 10<sup>th</sup> – May 8<sup>th</sup> from 6:00-7:00pm by Happy Feet Soccer League
16. Consider request for Use of Johnson Lake Trail and Shelter from 7:30am-12:00pm on Saturday, April 21, 2018 by Northeast Nebraska Community Action Partnerships for 5k/1-mile fun run
17. Consider request for use of Miller Park for Concert & Skateboarding activities on July 14, 2018
18. Consider request for Use of Christensen Field Parking Lot, Ridge Road Trail and Hormel Park by Fremont Cosmo Club for annual Spokes and Sneakers fundraiser on May 5, 2018

Ordinance to consider a request of Dodd Engineering & Surveying, LLC, on behalf of Deer Pointe Corporation & Charles H. Diers, LLC, owners of approximately 3.0 acres described as a 3.0 acre parcel of



land located in the NW ¼ NE ¼ of Section 18, Township 17 North, Range 9 East of the 6th P.M., Dodge County, Nebraska, more generally located at Elk Lane, Fremont, Nebraska, for approval of an Ordinance approving a Zoning Change from R Rural to GC General Commercial (second reading). Council Member Landholm moved, seconded by Council Member Kuhns to approve second reading of the Ordinance. Ayes: Anderson, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Bechtel absent. Motion carried. City Clerk provided second reading.

Ordinance to consider a request of Olsson Associates on behalf of Cosentino Holdings, LLC, owner of approximately 115.8 acres located at 4551 E. 23rd St. for approval of an Amendment to Exhibit A of Ordinance 5405 to Amend to the PD Planned Development for a combination of residential and commercial properties (second reading). Council Member Kuhns moved, seconded by Council Member Jacobus to approve second reading of the Ordinance. Ayes: Anderson, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Bechtel absent. Motion carried. City Clerk provided second reading.

Ordinance to consider a request of Thomas L. Stamper and Teresa L. Stamper, owners of 2740 N. Yager, consisting of approximately 6.15 acres described as a tract of land located in Lot 1, D. Schroeder's subdivision located in the northwest quarter of the southwest quarter of section 12, township 17 north, range 8 east of the 6th P.M., Dodge County, Nebraska, for approval of an Ordinance changing the zoning from BP Business Park to GC General Commercial (second reading). Council Member Jacobus moved, seconded by Council Member Legband to approve second reading of the Ordinance. Ayes: Anderson, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Bechtel absent. Motion carried. City Clerk provided second reading.

Ordinance to consider amendments to Chapter 11 of the Fremont Municipal Code pertaining to zoning and subdivision regulations, hereinafter referred to as the City's Unified Development Ordinance: (ii) Article 4, Section 44-405, Subsection 11-405.02, (iii) Article 11, Subsection 11-713.02, (iv) Article 11, Section 11-502, Subsection 11-502.01, (v) Article 11, Subsection 11-602.02, (vi) inserting page numbers, and trying to keep the page numbers (second reading). Council Member Schaller moved, seconded by Council Member Landholm to approve second reading of the Ordinance. Ayes: Anderson, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Bechtel absent. Motion carried. City Clerk provided second reading.

Resolution authorizing the Mayor and City Council to adopt the Emerald Ash Borer Plan. Council Member Kuhns moved, seconded by Council Member Jacobus to approve Resolution 2018-088. Ayes: Anderson, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Bechtel absent. Motion carried.

Ordinance pertaining to the sale and conveyance of real estate owned by the City to S&P Enterprises, LLC, pursuant to Nebraska law. Council Member Kuhns moved, seconded by Council Member Jacobus to approve first reading of the Ordinance. Ayes: Anderson, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Bechtel absent. Motion carried. City Clerk provided first reading. Council Member Kuhns moved, seconded by Council Member Schaller to suspend the rules and move to final reading. Ayes: Anderson, Kuhns, Landholm, Legband, McClain, Schaller. Nays: Jacobus. Bechtel absent. Motion carried. Mayor Getzschman called for a final vote on the Ordinance. Ayes: Anderson, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Bechtel absent. Ordinance 5439 approved.

Resolution of the City Council of the City of Fremont, Nebraska, approving the proposed Keno Grant awards as recommended by the Keno Advisory Committee to Fremont Avenue of Flags and Ridge Cemetery Association. Council Member Legband moved, seconded by Council Member Schaller to approve Resolution 2018-089. Ayes: Anderson, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Bechtel absent. Motion carried.



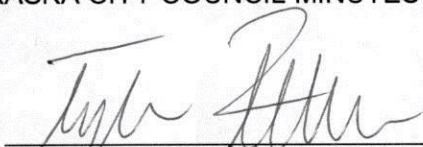
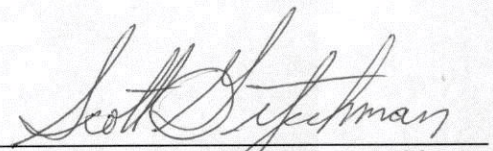
Discussion to consider renegotiation of the City of Fremont Animal Contract (refer to original signed August 25th, 2015 by DCHS, the revised version July 14, 2016 signed by DCHS and the amended Animal Contract signed September 12, 2017) due to concerns regarding required contractual obligations. No action was taken.

Consider creating Council Committee to negotiate with Dodge County Humane Society on potential purchase of City property. A committee was created by the Mayor to include Council Members Anderson, Kuhns, Schaller and Landholm.

Moved by Council Member Landholm seconded by Council Member Schaller to adjourn the meeting. Ayes: Anderson, McClain, Legband, Landholm, Jacobus, Schaller, Kuhns. Bechtel absent. Motion carried. Meeting adjourned at 8:48 p.m.

I, Tyler Ficken, the undersigned City Clerk, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by the members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that this meeting was preceded by publicized notice in the Fremont Tribune and the agenda, including notice of study session, were displayed in the Municipal Building and distributed to the Mayor and Council on April 6, 2018 and is open to the public; that all news media requesting notification concerning meeting and the subjects to be discussed at said meeting and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

APPROVED AND ACCEPTED THIS 24TH DAY OF APRIL AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA CITY COUNCIL MINUTES FOR APRIL 10, 2018.

  
Tyler Ficken, City Clerk  
Scott Getzschman, Mayor